

The odds lengthened during the day to 2 to 1 and finally to 1 to 1, but that was mostly stage money. Little of it was bet.

Discounting the extravagant Tammany claims the Republicans insisted that Gov. Miller would get a big enough plurality up State to overbalance anything Smith might get here. Admitting defeat in two of these cities up State the Republicans asserted that Miller was much stronger in the rest of the counties and would better than hold his own on the basis of the vote two years ago.

Mr. Morris was reported to have said to the New York leaders that Miller would have upwards of 340,000 plurality up State, but that was not substantiated. The state chairman did not give figures.

George Gordon Battle, chairman of the Copeland Committee, said:

"After a careful canvass of the situation, with full reports from up State and from this city we are confident Dr. Copeland will be elected by a majority of 250,000."

The Tammany 400,000 was not sustained in the forecasting by John H. McCooey, Democratic leader and Murphy's chief of staff in Brooklyn. McCooey claimed that county for Smith by 100,000. Jacob A. Livingston, Republican leader of Kings, said Smith would not have more than 50,000 in that county.

Based on McCooey's own prediction there is no evidence of the landslide in New York excepting as seen in Tammany Hall. The Democrats say they will do wonders to get 100,000 in Kings and Queens. Smith, if McCooey's figures are right, that makes it an even 200,000 which Tammany will have to get in New York county to make up the 400,000 claimed. That would be more than a landslide.

Expects 65,000 for Miller.

Expounding on the situation in Kings, Mr. Livingston said: "Our registration is off 72,000. Two years ago Smith had a plurality in this county of 90,000. The Democrats lost much more than we did in the registration. There are 5,000 independent Democrats who voted for Smith two years ago and who believe Miller has given a fine administration and will vote for him."

"Smith will have only a little over 50,000 in this county. The same ratio prevails in the other boroughs. Miller will come down to The Bronx with at least 350,000. He will win by 65,000 to 90,000. We will elect two members of Congress, perhaps three two State Senators and six Assemblymen."

Mr. McCooey's forecast was: "My reports give Smith 100,000 at least in Kings. Republicans who never voted a Democratic ticket will vote for Smith. The plurality will exceed that for Feltz last year. We will elect our two nominees for the Supreme Court, the District Attorney, seven of the eight Congressmen, seven of the eight State Senators and eight of the twenty-three Assemblymen."

William M. Calder, nominee for United States Senator, said:

"I have gone all through the State and I find sentiment strongly favors Gov. Miller. The outlook is certainly bright. I look for a large vote in Brooklyn for all the Republican candidates."

AL SMITH TO GET HIS MOTHER'S FIRST VOTE

Feels Confident 'Her Boy' Will Be Elected.

Mrs. Catherine Smith, mother of the Democratic nominee for Governor, made her election forecast last night. She said:

"Predictions are very promising, and I feel very confident the voters will elect my boy."

Mrs. Smith, who was seventy years old last Friday, will cast her first vote for her son from Public School 5, Hicks and Middagh streets, Brooklyn. Mr. and Mrs. Smith and their son, Alfred, Jr., will vote at 10 o'clock this forenoon at Public School 1, Henry and Oliver streets.

Confident of victory, the Citizens Committee has invited its members and workers to hear the returns read in the headquarters at the Baltimore. Among those who will be there are Mrs. Abram J. Elkus, Mrs. James W. Gerard, Mrs. John Blair, Mrs. Joseph M. Finkler, wife of the chairman of the committee, Mrs. John Gilchrist, wife of its treasurer, Miss Ethel Stebbins, Mrs. David P. Houston, Miss Frances Perkins, Mrs. Norman H. Davis, Miss Alice J. G. Perkins, Mrs. Anne O'Hara, Miss Annie Mathews, Register of New York county, Miss Amy Aldrich, Miss Sara McKee, Miss Dorothy Donnelly and Miss Mary Chamberlain.

LABOR PARTY LOOKS TO BECOMING MAJOR PARTY

Says It Must Be Reckoned With at Polls.

The American Labor Party, in an election statement last night, said:

"We have every right to believe that we have fought a good fight and that as a result, we will be reckoned with, shortly as a major party, the party of the opposition, the party of those disgruntled in industry, the party of the huge tolling mass that produces and does not profit from its production."

"This is the first time that labor participation in politics in America is an actuality. The artificial differences existing between the Republican party and the Democratic party are ceasing to blind the workers to their own interests. Second, the ramifications of our support have been such as to throw fear into the camp of the enemy, so much so that native leaders like Nicholas Murray Butler and Frank Munsey have warned the old line parties to fuse to prevent their annihilation. Third, the groundwork has been laid and we have every reason to believe that the structure will be a solid one for a national American Labor party."

WESTCHESTER DIVIDED ON JUSTICES OF PEACE

Minority in Committee Wants Them Abolished.

Paul M. Crandall of the Westchester County Government Commission Committee on Inferior Courts, meeting yesterday at White Plains, submitted a minority report favoring the abolishment of Justices of the Peace.

Commissioner L. J. Beaudry of Yonkers filed a majority report, in which two Justices of the Peace in each township were favored. No action was taken on either report.

Mr. Crandall classified the Justices of the Peace as relics of antiquity. He suggested that the county be divided into districts with courts modeled after the municipal courts of New York city.

Mr. Beaudry suggested that the Justices of the Peace in small towns should receive a salary of \$600 a year and that the fees collected should be turned back to the towns.

BANTON REASSURES MILLER ON FRAUDS

Says He Never Has Neglected Duty and Will Not Do So Now.

SIFTS 209 COMPLAINTS

Finds Only 12 Cases Worthy of Being Taken Further for Prosecution.

ROSALSKY UPHOLDS HIM

Judge Decides Gilbert Cannot Go Before Jury—Swears In Two New Panels.

It was in no truculent mood that District Attorney Banton wrote to Gov. Miller yesterday in reply to a letter of warning received by him from the Governor earlier in the day.

While Mr. Banton declined to make public the text of his reply, it was learned that he informed the gentleman with the power to remove District Attorneys, Mayors and Police Commissioners that he never had swerved from his duty and certainly did not intend to do so now.

Mr. Banton asserted that he has been willing, even anxious, to prosecute all cases of election fraud and that he would have got results by this time if the Deputy Attorney-General, Abraham S. Gilbert, had not refused to turn over evidence to the New York county Prosecutor, as must be done under the law.

The District Attorney said, too, that his office has investigated 209 cases of suspected fraud on evidence of illegal registration submitted by the police, and that after "clerical errors," removals and deaths had been weeded out, only twelve cases were left for possible prosecution. In other words, the magistrates would only issue twelve warrants on evidence put before them, and the twelve persons named in these warrants will be arrested to-day if they attempt to vote.

Mr. Banton added his office will be wide open for receiving evidence from any party or any candidate.

Against Attorney-General.

Immediately after hearing from Gov. Miller, Mr. Banton appointed one of his assistants, Mr. Brothers, a Republican, to handle any fraud cases for his office, and Mr. Brothers was preparing last evening for a busy day beginning at sunrise. This action followed a decision by Judge Rosalsky, in General Sessions, that representatives of the Attorney-General had no legal right in the Grand Jury room to present evidence in election fraud cases.

This sustained a former ruling by Judge T. C. T. Crain and supported Mr. Banton's contention to Gov. Miller that the District Attorney of this county had no recourse except to bar the Attorney-General from the Grand Jury and to demand that all evidence be turned over to the District Attorney for presentation to the Grand Jury.

Immediately after appointing Mr. Brothers as special prosecutor Mr. Banton wrote to Mr. Gilbert advising him with the District Attorney's purpose to enforce the law and investigate impartially all evidence with the Grand Jury. He insisted the Deputy Attorney-General to turn over any evidence to Mr. Brothers for quick action.

Trouble at Polls Likely.

Possibility of actual violence at the polls was suggested by the situation last night. Republican managers and workers are fired with zeal by the extraordinary warning sent to the District Attorney by Gov. Miller, and that is taken to cover all public officials coming within the Governor's power of removal. Democratic managers and workers were holding up Mayor Hylan's name to Police Commissioner Enright as authority for the statement that State inspectors at the polls are not sacrosanct and may be restrained by the police with the Mayor's backing.

This latter suggestion was denounced by Gov. Miller at Albany as a palpable effort to apply the strong arm to to-day's election. First fights, trouble and arrests are looked for as the day develops. It was noticeable, however, that there was a good deal more fear of what the Governor might do if the law was flouted than of what the Mayor might do. The Governor's statement that he would know how to hold responsible if the police interfere with an election was taken as a bluff.

The biggest result probably will be an extremely close scrutiny by both sides of the voting and the count, and election will be more rigidly supervised in all likelihood than any in recent years. The Governor has spoken his mind. The Mayor has put up the Police Commissioner. Enright has issued unheeded special instructions to the force. Watchers for both parties have been ordered to take nothing for granted and have been warned that any attempted treachery on their part will mean State prison. The curious thing about the whole situation is that it indicates expectation of a free election rather than of a sweep for either side.

Two New Juries Ready.

Judge Rosalsky decided that doubtful indictments might result if the Attorney-General appeared before a grand jury. He pointed out, however, that the Attorney-General would not be deprived of the right to prosecute election fraud cases in this county. He could accomplish this if the Court of General Sessions would transfer indictments to the Supreme Court, in which, after receiving authority from the Governor, the Attorney-General could appear as prosecutor. Previous to this decision Judge Rosalsky swore in two grand juries for the November term. He charged them relative to election frauds and what constituted violation of the election law, saying:

"You must lay aside your political beliefs and prejudices and determine the charge against a defendant solely upon the evidence presented. Illegal registration, aiding and abetting illegal registration, illegal voting and aiding and abetting illegal voting are felonies under the penal law. A person convicted of a felony and who has served a term in the penitentiary or State's prison is entitled neither to register nor to vote."

The boards of inspectors and all other election officials should be held to strict accountability, and if any such inspector or public official willfully fails to perform his duty you should insist such election official or public official. It is the duty of inspectors of election to permit watchers inside the rails."

Wall Street Forces Odds On Al Smith to 4 to 1

BACKERS of Al Smith forced the being odds to 4 to 1 before the close of business yesterday. It was freely predicted that before the opening of the polls to-day the odds would surpass this figure. Yesterday's betting odds opened at 2 to 1, but in order to entice Miller backers the rate was raised gradually through 2½ to 1, 3 to 1, finally to the 4 to 1 level, at which a member of the Stock Exchange bet \$4,000 against \$1,000.

G. B. De Chadenes & Co. put through an even money wager that Smith's plurality in the State will be 100,000, and another, also even, that he will beat Miller in Greater New York by 50,000. Despite the fact that it is an "off" year betting commissioners estimate that approximately \$3,000,000 has been wagered.

Culder continues favorite over Copeland in the contest for United States Senator, money being offered on Copeland at odds of 2 to 3. A wager of \$5,000 against \$7,500 was recorded. In the Edwards-Frelinghuysen fight for New Jersey Senator the former is a favorite for the first time at odds of 6 to 5.

Illustration, illegal voting and aiding and abetting illegal voting are felonies under the penal law. A person convicted of a felony and who has served a term in the penitentiary or State's prison is entitled neither to register nor to vote. The boards of inspectors and all other election officials should be held to strict accountability, and if any such inspector or public official willfully fails to perform his duty you should insist such election official or public official. It is the duty of inspectors of election to permit watchers inside the rails."

Outlines Law on Assistance.

Regarding the important matter of assisting voters, the judge said: "If the voter, other than a new voter, at the time of registration, alleged his inability to sign his name, or if a new voter who is able, except for physical disability, to write, although that by reason of such physical disability only he is unable to sign his name, one of the inspectors deputed by the chairman shall read to the voter the list of questions contained in the election law."

Another point of the charge has to do with the authority of the Attorney-General and his investigators, authority criticized by the Mayor to Enright:

"The special Deputy Attorneys-General or investigators may call upon any member of the police, Sheriff, Deputy Sheriff, constable or other public official, or any person, to assist him in carrying out the provisions of the law. Any such officer or person who shall fail to render the assistance so demanded, or who shall wilfully hinder or delay such special deputy or investigator in the exercise of any power or in the performance of any duty shall be guilty of a misdemeanor."

Under this ruling any policeman interfering with a Deputy Attorney-General or investigator is apt to get into serious trouble.

BANTON ASSIGNS STAFF FOR ELECTION DUTIES

Assistants at Office and in Police Courts.

District Attorney Banton announced last night he had made the following assignments of his staff for special election day duty:

At the District Attorney's office, to hear applications for bail—Assistant District Attorneys John Caldwell Myers and James Garret Wallace.

At Magistrates' Court:

First District, 110 White street, John T. Hogan.

Second District, 125 Sixth avenue, William M. McGowan.

Third District, Second street and Second avenue, Albert Bloch Unger.

Fourth District, 151 East Fifty-seventh street, William R. Maloney.

Fifth District, 170 East 121st street, Harold W. Hastings.

Sixth District, 314 West Fifty-fourth street, Richard H. Gibbs.

Seventh District, 1120 St. Nicholas avenue, Thomas J. Whalen.

In addition, District Attorney Banton has arranged that he, with his assistants, Ferdinand Pecora and George N. Brothers, will visit the Magistrates Courts and various polling places.

Judge Otto A. Rosalsky will be at the Criminal Courts Building to fix ball in the event election officers or other persons arrested have to apply to him for it.

DR. COPELAND ASSERTS HIS PLEDGES ARE FEW

Promised Farmer, Earner and Price Victim, He Says.

Dr. Royal S. Copeland, predicting his election to the United States Senate, stated yesterday that he will go to Washington unpledged, except to serve the farmer, the wage earner and those who suffer from oppressive prices of the necessities of life. His statement follows:

"It is for the vote to decide. I am confident they will repudiate the Republican tariff, the neglect of the farmer, the insult to labor, the inhumanity in the administration of the present immigration laws and the lack of heart in government."

"It is not a question these days of the old time political convictions. Party lines have dissolved and people will vote this year as never before for county, State and home."

"I shall go to Washington unpledged, except to serve the farmer, the wage earner and those who suffer from the oppressive prices of the necessities of life. The welfare of the people is above all consideration of party, and I am sure the thoughtful voter of New York will make it as unanimous as is humanly possible for the Democratic platform and ticket."

MAYFIELD'S NAME ON BALLOT.

Texas Supreme Court Confirms His Official Candidacy.

AUSTIN, TEXAS, Nov. 6.—Telegrams ordering the name of Earle B. Mayfield, Democratic nominee for United States Senator, placed on the ballots for tomorrow's election, were sent to all counties late to-day by the Secretary of State's office, following an order of the State Supreme Court refusing to entertain the last mandamus petition placed before it in the case.

Injunction and mandamus proceedings from both sides still were before various lower courts and most of the ballots already have been distributed without the name of any Senatorial candidate.

PRICES realized on Swift & Company sales of carcass beef in New York city for week ending Saturday, November 4, on shipments sold out, ranged from 10.00 cents to 10.00 cents per pound and averaged 13.65 cents per pound—L.H.

EACH PARTY ON EDGE FOR FRAUD AT POLLS

Threats, Counter Threats in Frenzy for All to Do Their Duty.

NEW LAW TO BE TRIED

Election Officials More Numerous and More Cautious Than Ever Before.

WARN OF JAIL TERMS

State and City Agents Eager to Avoid One 'Getting' the Other.

The polls will open at 6 o'clock this morning and remain open until 6 o'clock this evening.

Before daylight this morning thousands of election officials delegated to handle the voting and hundreds of special agents and watchers appointed to see that the ballots are cast and counted properly started for the 2,747 polling places in the city. The Police Department was hurrying cartloads of ballots to the districts.

Instructed in the law, warned to make arrests of any who seek to vote if not entitled to a ballot and with the State and city officials antagonistic and on guard in their eager desire to see that neither "gets something" on the other those in charge of the election machinery are more numerous and more cautious than ever before.

The new election law is to be tried for the first time. In former years the polls were manned by two poll clerks, two ballot clerks and four canvassers. This year the polls will be under control of boards of inspectors, consisting of four inspectors—two Democrats and two Republicans. The boards will be assisted in the counting of ballots by two clerks. The inspectors receive \$15 each and the clerks \$6.

Threats and Counter Threats.

In addition to the designation and instruction of all those officials hundreds of special watchers were named to safeguard against fraud. A small army of special agents, consisting of law students from Columbia, lawyers, bankers, brokers, expert accountants and others, were assigned to the heavy Tammany districts where Abraham S. Gilbert, special Deputy Attorney-General, expects some trouble.

Democratic election clerks and inspectors declared they had been instructed at a Tammany meeting to order the arrest of any of "Gilbert's college students" who interfere.

"If any one tries to interfere with our duties he will go to jail," Mr. Gilbert said. "My men have the power to arrest the police if they do not do their duty, and they will do it. I believe the police will do their duty in the face of the orders from Commissioner Enright."

Mayor Hylan's curb to the police ordering that the police curb undue activity of the Gilbert inspectors amazed the election officials. Mr. Gilbert said:

"Mayor Hylan will be held responsible for the action of the Police Department." In Brooklyn, where numerous indictments for fraudulent registration have been returned and where many accused have pleaded guilty, Grover M. Moscovitz, the Deputy Attorney-General in charge, said:

"If this is a veiled threat on the part of Mayor Hylan to have the police interfere or attempt to direct the special investigators assigned by the Attorney-General in the performance of their duty, I wish to say that Mayor Hylan as well as the police is not immune to the provisions of the election law."

John R. Voorhis, president of the Board of Elections, said that some difficulty had been experienced getting competent inspectors, but the positions had

You decide today

"The government you get is the kind of government you want."

Government depends on the type of men selected to represent you.

Your community measures up only to the type of people living there.

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The New Elevator Garden Apartment Homes are a sound investment because of the steady growth, desirability, social prestige and easy accessibility of Jackson Heights, where a Golf Course, Tennis Courts, Children's Playgrounds, an Athletic Field, a Club House, a Riding Club, meet the requirements of those who desire to lead the normal and healthy out-of-doors life, and yet live in New York City.

Jackson Heights

22 Minutes from 42nd St. Subway Station

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By Motor—59th via Queensboro Bridge, Jackson Ave. to 24th St.

Apartments Open for Inspection, Daily, Until 8 P. M.

Day Will Begin Wet, Get Dry, Stay Gray, Be Mild

WET streets and threatening skies will usher in election day, but there will be no rain after a few early morning showers, according to the Weather man last night. Voters will find the day cloudy till polls close.

On the Jersey side fair weather is the promise.

Late Indian summer temperatures were given as the indication both for New York and suburban New Jersey.

Election day last year, it will be remembered, was sunny but sharper. Early voters entered polling places with teeth chattering, and a temperature only 1 degree above freezing. The day grew cloudy toward evening.

been filled and the polls will open at 6 o'clock this morning with adequate staffs. The poll officials were instructed to be in the seats at 5:30 this morning. The borough officers of the Board of Elections will be kept open until completion of the count and filing of the returns. If the result closes that may mean keeping open all to-night and to-morrow night. Mr. Voorhis and Charles E. Hoydt will be in charge of the Manhattan headquarters in the Municipal Building.

Distribution of ballots was made by the police this morning before the opening of the polls. A total of 2,061,750 ballots was distributed to the 2,747 polling places. There are in the city 2,749 election districts, but two, the Thirty-seventh and Thirty-eighth of the Seventeenth Assembly district in Manhattan, are without registered voters and consequently there will be no polling places in these districts. These districts are located "somewhere in Central Manhattan" as the result of some fine district splitting.

The ballots printed by the Martin E. Brown Printing Company were delivered by the printing company directly to the polls. Each election district received 50 official general ballots and the same number of "questions submitted" ballots which contain the two constitutional amendments to be voted on, with the exception of four election districts in Brooklyn which received 800 ballots. These districts are the Seventh and the Forty-first of the Sixteenth Assembly district, the "Thirty-fifth of the Eighteenth Assembly district, and the Forty-seventh of the Eighteenth Assembly district. Sample ballots to be distributed will number 10 per cent. of the official ballots, or 206,175.

Regulations.

All voters in line for voting, whether inside or outside of the polling place at 6 P. M., are entitled to vote and inspectors of election are ordered to direct the policeman assigned to the polling place to station himself at the end of the line of prospective voters.

A woman married since she registered will have to sign her former name and her present name, the board has ruled, and a person entitled to vote may have assistance if at the time of registration an oath of illiteracy or physical disability had been made, or if he or she met with an accident since registration day.

Election officers were warned "to be courteous and considerate in their dealings with voters and they are expected to ask and receive all proper assistance and protection from the policeman detailed to the polling place." Also the instructions point out that "election officers must be civil in manner and conduct to the landlord of the polling place, to the janitor of the public school or to any other person in charge, and they are strictly forbidden to damage, use, handle or in any way interfere with any property, furniture or merchandise within the polling place or make or permit unauthorized use of the telephone."

"The Honest Ballot Association," said William M. Chadbourne, chairman of its executive committee, "believes that the election to-morrow ought to be the cleanest election in the history of New York city. The association is especially pleased with general order No. 46 issued by the Police Department, which defines in specific terms which every police officer can understand the rights of watchers and the duties of election officers. These orders were drafted by Mr. Albert S. Bard, vice-president of the Honest Ballot Association, and were adopted by the Police Department with only minor modifications."

"In addition the Police Department is stationing an additional policeman in some 500 polling places, with the Honest Ballot Association indicated as places where trouble is likely to occur."

"The Honest Ballot Association has numbered about 400, which will be placed in districts where experience indicates that special frauds are likely to be committed."

100,000 LEAD CLAIM BY FRELINGHUYSEN

Senator Closes Campaign With Talks in Burlington and Mount Holly.

Special Dispatch to The New York Herald.

MOUNT HOLLY, N. J., Nov. 6.—Senator Joseph S. Frelinghuysen, Republican nominee for reelection to the United States Senate, closed his campaign to-night with speeches here and at Burlington. Large crowds greeted him in both towns, and his audiences displayed much enthusiasm. More than 1,500 persons crowded the theatre where he spoke in Mount Holly. Before leaving for Burlington the Senator declared that he expected to win to-morrow by a majority of 100,000 over his Democratic opponent, Gov. Edward Edwards.

"Mr. Edwards," he said, "will learn that he can no longer fool the people of New Jersey by telling them of impossible things that he proposes to do to get booze back into this State."

In both of his speeches to-night Senator Frelinghuysen scored the record of the Democratic party in this State, particularly during the time of the race track scandals, when "the people rose up with the Republican banner of morality and decency" and banished the Democratic office holders. Some such situation exists to-day, he declared, because of the power and perniciousness of the machine dominated by Mayor Frank Hague of Jersey City.

The Senator ridiculed Gov. Edwards for going about the State telling voters that he could go to Washington and change the organic law of the State, that he could repeal the Volstead act and make New Jersey as wet as the Atlantic Ocean. The Governor, he declared, insulted the people of Burlington county by declaring that 3,000 stills are operating in this county and failing to produce evidence when called upon by the Grand Jury.

"The time has come," said Senator Frelinghuysen, "when the people of New Jersey are to decide whether they will uphold the Constitution of the United States or become followers of the unscrupulous Mayor Hague of Jersey City, whose Hudson county machine is a disgrace to the State."

The Senator declared that he has tried to induce Gov. Edwards to discuss the real issues involved in the campaign for the Senate, but that the Governor has refused to talk about anything but the Volstead law and his impossible schemes for making New Jersey "as wet as the Atlantic Ocean."

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The loosely draped jackets of these suits follow the lines of the most approved productions of leading London tailors.

The sport-lounge suit created this season by a well-known English tailor has a jacket without plaits, cut on sporting lines, and in addition to the long trousers a pair of English knickerbockers, making this suit practical for wear either at business or for sports wear in the country.

This four piece sport-lounge suit is moderately priced at \$55.

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